

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RUIZESPARZA NAVARETTE ALFREDO,

Petitioner,

-against-

WARDEN J.L. JAIMISON,

Respondent.

23-CV-8166 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

By order dated September 18, 2023, the Court directed Petitioner, within thirty days, to submit a completed request to proceed *in forma pauperis* (“IFP application”) or pay the \$5.00 in fees required to file a *habeas corpus* petition in this court. That order specified that failure to comply would result in dismissal of the action. Petitioner has not filed an IFP application or paid the fees. Accordingly, the petition is dismissed without prejudice. *See* 28 U.S.C. §§ 1914, 1915.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

The Court directs the Clerk of Court to enter judgment.

SO ORDERED.

Dated: November 15, 2023
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge